



Practitioner's Docket No. 1247/A74

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Grindstaff, et al.

Application No.: 10/762,214

Group No.: Not Yet Assigned

Filed: January 21, 2004

Examiner: Not Yet Assigned

For: Video Analyzer

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____.

Date:

3/4/05

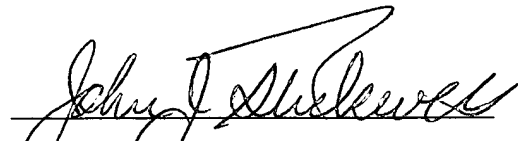
Signature

John J. Stickevers, Esq.

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

DATE:


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01247/00A74 368198.1



Practitioner's Docket No.

1247/A74

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

Inventor(s)

for

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: Grindstaff, et al.

Application No.: 10/762,214

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P.O. Box 1450

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(Information Disclosure Statement--page 1 of 9)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

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☐ transmitted by facsimile to the Patent and Trademark Office.

Date:

3/4/05

Signature

John J. Stieckvers

John J. Stieckvers, Esq.

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).
"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable C.F.R.e, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).

NOTE: The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: disC.F.R.d unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ JEPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☒ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

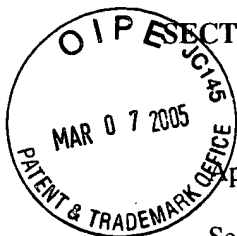
NOTE : "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Grinstaff, et al.

Attorney Docket: 1247/A74

Serial No: 10/762,214

Art Group Unit: Not Yet Assigned

Date Filed: January 21, 2004

Examiner Name: Not Yet Assigned

Invention: Video Analyzer

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	AK	US 3,652,790	Mar. 28, 1972	Eberhardt	178/6.8
	AL	US 3,891,798	June 24, 1975	Marcus	178/6.8
	AM	US 3,953,669	Apr. 27, 1976	Sacomani, et al.	178/6.8
	AN	US 3,988,533	Oct. 26, 1976	Mick, et al.	178/6.8
	AO	US 4,120,004	Oct. 10, 1978	Coutta, J.	358/108
	AP	US 4,268,863	May 19, 1981	Los, L.	358/160
	AQ	US 4,405,940	Sep. 20, 1983	Woolfson et al.	358/93
	AR	US 4,943,854	Jul. 24, 1990	Shiota, et al.	358/108
	AS	US 4,951,137	Aug. 21, 1990	Kisou, et al.	358/125
	AT	US 5,091,781	Feb. 25, 1992	An, B.	358/125
	AU	US 5,164,827	Nov. 17, 1992	Paff	358/108
	AV	US 5,175,694	Dec. 29, 1992	Amato	364/516
	AW	US 5,182,776	Jan. 26, 1993	Suzuki, et al.	382/14
	AX	US 5,243,418	Sep. 07, 1993	Kuno, et al.	358/108
	AY	US 6,363,380	Mar. 26, 2002	Dimitrova	707/6
	AZ	US 2002/0168181	Nov. 14, 2002	Hsiao, et al.	386/124

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/Subclass
	BA	WO	2002/007164 A3	24/01/2002	The Trustees of Columbia Univ. In the City of NY	G06F 17/30
	BB	WO	2004/066609 A2	05/08/2004	Intergraph Hardware Technologies, Co.	H04N

	BC	WO	94/17636	04/08/1994	Bell Communications Research, Inc.	H04N 7/18
	BD	WO	00/56074	21/09/2000	Central Research Lab., Ltd.	H04N 7/18
	BE	WO	02/07164 A2	24/01/2002	The Trustees of Columbia Univ. In the City of NY	G11B 27/00
	BF	WO	03/024112 A1	20/03/2003	Intergraph Hardware Tech., Co.	H04N 7/18
	BG	DE	38 41 387 A1	22/06/1989	Toshiba Kawasaki KK	G01P 13/00
	BH	DE	44 17 128 A1	14/12/1995	Elnic GmbH	G06T 7/00
	BI	EP	0 028 933	20/05/1981	Ascotts Ltd	G08 B 13/18
	BJ	EP	0 671 706 B1	13/09/1995	Nippon Telegraph & Telephone	G06T 7/20
	BK	EP	0 690 413 A2	03/01/1996	Institute of Systems Science	G06T 7/20
	BL	EP	0 690 413 A3	03/01/1996	Institute of Systems Science	G06T 7/20
	BM	EP	0 719 048 A2	26/06/1996	AT&T Corp.	H04N 7/18
	BN	EP	0 729 036 B1	28/08/1996	Sanyo Electric Co.	G01S 3/786
	BO	EP	0 823 821 A2	11/02/1998	NCR International, Inc.	H04N 7/18
	BP	EP	0 823 821 A3	11/02/1998	NCR International, Inc.	H04N 7/18
	BQ	JP	08241414	17/09/1996		G06T 7/20
	BR	EP	1 081 960 A1	07/03/2001	Sony Corp.	H04N 7/32
	BS	EP	0 833 503 A3	01/04/1998	General Instrument Corp.	H04N 5/14
	BT	EP	0 833 503 A2	01/04/1998	Nextlevel Systems, Inc.	H04N 5/14

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	BU	Zhang, et al.	"Automatic Partitioning of Full-Motion Video," <i>Institute of Systems Science</i> , Received January 10, 1993/Accepted April 10, 1993, pgs. 10-28.

Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

☒ Exception(s) to above:

☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

U.S. patent citations are not included pursuant to the United State Patent and Trademarks Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Section 8. Translation(s) of Non-English Language Documents

NOTE: "If a written English language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in section 1.56(c), a copy of the translation shall accompany the statement." 37 C.F.R. section 1.98(c).

NOTE: "The Office does not intend to require translations unless they have been reduced to writing and are actually translations of what is contained in the non-English language information. Applicants should note, however, that most examiners do not have the ability to understand information which is not in English and that the Office will not routinely translate information submitted in a non-English language. The examiner will consider the information insofar as it is understood on its face, e.g., drawings, chemical formulas, English language abstracts, but will not have the information translated unless it appears to be necessary to do so. Applicants are required to aid the examiner by complying with the requirements for a concise explanation in section 1.98(a)(3) for information submitted in a non-English language." Notice of January 9, 1992, 1135 O.G. 13-25, at 21.

NOTE: "The examiner will indicate that the non-English language information has been considered in the same manner as consideration is indicated for information submitted in English." Notice of April 20, 1992 (1138 O.G. 37-41, 41).

[x] Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

JP	08241414	17/09/1996	G06T 7/20
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*** Please See Attached Translation Labeled BQ.1**

(complete the following, if applicable)

[x] No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

DE	44 17 128 A1	14/12/1995	Elnic GmbH	G06T 7/00
DE	38 41 387 A1	22/06/1989	Toshiba Kawasaki KK	G01P 13/00

[] The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 10. Identification of Person(s) Making Supplemental This Information Disclosure Statement

The person making this certification is

(check each applicable item)

(a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

(b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

(c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

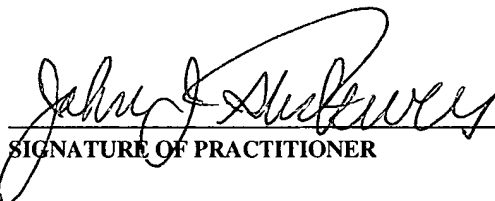
☒ in the practitioner's file.

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01247/00A74 368194.1



SIGNATURE OF PRACTITIONER

John J. Stickevers, Esq.

(type or print name of practitioner)

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